# **POSSIBLE MOTION**

I MOVE TO approve Ordinance 2012-43A on first reading.

# **MEMO**

To:

Mayor McConnell and Members of the Assembly

Jim Dinley, Municipal Administrator

From:

William Stortz, Building Official

Reviewed by:

Michael Harmon WANT

Theresa Hillhouse

Date:

11/20/12

Subject:

Building codes update

### Page 1 of 2

**Background** – Sitka General Code 19.01 Building Code; 19.02 Electrical Code; 19.04 Mechanical Code; 19.05 Fire Code; 19.08 Code Applicability; 19.09 Electrical Code for Islands; 19.11 Mechanical Code for Islands; 19.12 Fire Code for Islands; and 19.14 Building Code for Islands need to be updated in order to stay current with evolving building science and safety standards, comply with State statutes, and satisfy insurance rating agencies.

**Analysis** – The City and Borough of Sitka adopts the International Building Code, the International Fire Code, and the International Mechanical Code published by the International Codes Council (ICC). These codes are typically on a three year cycle. Sitka is currently operating on the 2006 ICC codes.

The City and Borough of Sitka Building Department operates under a deferral from the State Fire Marshal granted in 1999. This allows the Building Department to review and permit commercial construction projects and requires the Building Department to conduct fire and life safety inspections of commercial properties in Sitka. Under that deferral we are required to adopt codes no less stringent than those adopted by the State of Alaska. The State Fire Marshal has adopted the 2009 ICC codes and they are now in effect statewide.

Sitka also adopts the National Electrical Code (NEC) published by the National Fire Protection Association. Sitka General Code Title 19 currently references the 2008 NEC. The State of Alaska recognizes the authority of local governments to adopt their own codes but those codes may be no less stringent than the codes adopted by the State. (See AS 18.60.580 and AS 18.60.735) On October 16, the 2011 NEC became the electrical code in effect for the State of Alaska.

# Impact to the Community -

The Building Department was audited this summer by the Insurance Services Organization (ISO). The ISO rates communities on various aspects of how the Building Department enforces codes and what codes are in effect. A community that enforces building codes more than five years old will receive a lower rating than one that adopts more recent codes. This is one of

several measurements used to set insurance rates for a community going forward from the time the rating is published. During the audit, I informed the auditor that we would be updating the Building Code this fall. He assured me that should we adopt a newer code in a timely manner that our ISO rating would not be negatively impacted.

Electrical contractors licensed by the State of Alaska are operating under the NEC as adopted by the State of Alaska. The Building Department needs to interpret and enforce the same codes as those adopted the State and utilized by the professional building community.

**Recommendation** – Adopt by reference through an ordinance amending Sitka General Code 19.01, Building Code, SGC 19.02 Electrical Code, SGC 19.04 Mechanical Code, SGC 19.05, Fire Code, SGC 19.08, Code Applicability, SGC 19.09, Electrical Code for Islands, and SGC 19.11, Mechanical Code for Islands, 19.12 Fire Code for Islands, and 19.14 Building Code for Islands.

| 1        | Sponsor: Administrator  |
|----------|---|
| 2 3      | CITY AND BOROUGH OF SITKA   |
| 4        |   |
| 5        | ORDINANCE NO. 2012-43A  |
| 6<br>7   | AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA AMENDING  |
| 8        | SITKA GENERAL CODE TITLE 19 ENTITLED "BUILDING AND CONSTRUCTION"  |
| 9        | TO UPDATE EXISTING PROVISIONS   |
| 10       |   |
| 11       | 1. CLASSIFICATION. This Ordinance is of a permanent nature and is intended to   |
| 12<br>13 | become part of the Sitka General Code ("SGC").  |
| 14       | 2. SEVERABILITY. If any provision of this Ordinance or any application to any   |
| 15       | person or circumstance is held invalid, the remainder of this Ordinance and application to any  |
| 16       | person or circumstances shall not be affected.  |
| 17       |   |
| 18       | 3. <b>PURPOSE.</b> This ordinance generally addresses housekeeping measures to adopt the  |
| 19       | current or recodified (renumbered) version of various state and federal building, fire, electrical  |
| 20       | and mechanical codes required by legal authorities that are cross referenced in SGC. Some   |
| 21<br>22 | clerical amendments are included for consistency purposes.  |
| 23       | 4. NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and  |
| 24       | Borough of Sitka that SGC Title 19 is amended as follows (new language underlined; deleted  |
| 25       | language stricken):   |
| 26       |   |
| 27       | Chapter 19.01   |
| 28       | BUILDING CODE   |
| 29<br>30 | Sections:   |
| 31       | 19.01.010 Adoption by reference.  |
| 32       | 19.01.013 Adoption of excavation and grading standards.   |
| 33       | 19.01.014 Adoption by reference of International Residential Code.  |
| 34       | 19.01.015 Power of assembly to grant a variance or waiver by motion.  |
| 35       | 19.01.016 International Building Code Chapter 1 amended.  |
| 36       | 19.01.017 International Residential Code Chapter 1 amended.   |
| 37       | 19.01.018 International Building Code Chapter 2 amended.  |
| 38<br>39 | 19.01.020 Permit fees.  |
| 40       | 19.01.021 International Building Code Section 10 <u>9.4</u> 8.4. 19.01.030 International Residential Code <u>Table R302.6 amended - Dwelling/Garage</u> |
| 41       | Fire Separation. Section.   |
| 42       | 19.01.035 International Residential Code Section R313 Automatic Fire Sprinkler  |
| 43       | Systems deleted   |
| 44       | 19.01.040 Table 508.2.5 amended—Incidental use areas.   |
| 45       | 19.01.041 International Building Code Section 709.3 508.3. amended—Fire   |
| 46       | Resistance Rating Nonseparated.   |

| 1        | 19.01.042 International Residential Code Section R320 322 deleted—Accessibility.   |
|----------|--|
| 2        | 19.01.045 <u>Deleted.</u>  |
| 3        | 19.01.050 International Residential Code Section 314.23.2-amended—Garage   |
| 4        | smoke.   |
| 5        | 19.01.065 International Building Code amended to add new Section 110.2.1.  |
| 6        | 19.01.070 International Building Code Section 903.2 is amended—Automatic fire  |
| 7        | suppression systems—Where required.  |
| 8        | 19.01.071 Waivers to Section 19.01.070.  |
| 9        | 19.01.072 Administrative waivers for minor additions or structures.  |
| 10       | 19.01.081 International Residential Code amended—Stairways.  |
| 11       | 19.01.082 International Residential Code amended—Gutters required.   |
| 12       | 19.01.083 International Residential Code amended—Seismic engineering not   |
| 13       | required.  |
| 14       | 19.01.085 International Residential Code amended—Grinder pumps to be   |
| 15       | accessible.  |
| 16       | 19.01.088 International Building Code Section 1003 amended—General means of  |
| 17       | egress—Amended.  |
| 18       | 19.01.092 Certificates of occupancy.   |
| 19<br>20 | 19.01.095 The International Building Code Chapter 11 amended.  |
| 21       | 19.01.100 Chapter 17 amended—Earth support and danger trees.   |
| 22       | 19.01.125 Chapter 31, Section 3102, Membrane structures, modified.   |
| 23       | 19.01.150 Chapter 34, Section 3401, Scope, modified. 19.01.155 Chapter 34, Section 3409, Accessibility for existing buildings, modified. |
| 24       | 19.01.200 Chapter 35, Referenced Standards, modified.  |
| 25       | 17.01.200 Chapter 53, Referenced Standards, modified.  |
| 26       | 19.01.010 Adoption by reference.   |
| 27       |  |
| 28       | The 2009 International Building Code, written by the International Code Council, Chapters 1  |
| 29       | through 12, 14 through 28, and 30 through 35, is adopted and included herein by reference  |
| 30       | including the following appendices:  |
| 31       | * * *  |
| 32       | 19.01.014 Adoption by reference of International Residential Code.   |
| 33       |  |
| 34       | The 2009 International Residential Code for One- and Two-Family Dwellings by the   |
| 35       | International Code Council, Chapters 1 through 10,12 through 19, and 34 through 43, is   |
| 36       | adopted and included herein by reference.  |
| 37       | * * *  |
| 38       | 19.01.016 International Building Code Chapter 1 amended.   |
| 39       |  |
| 40       | * * *  |
| 41       |  |
| 42       | D. International Building Code Section 104.1 is amended as follows:  |
| 43       |  |
| 44       | 1. Bby adding the following phrase to the end of sentence two: " and to rule or  |
| 45       | applicability in the event of conflicting provisions with other codes."  |

2. By amending International Building Code Section 104.1 sentence three is amended to read: "Such interpretations, rulings, policies and procedures shall be in compliance with the intent and purpose of this and related code."

 $\underline{\mathbf{E}}\mathbf{F}$ . International Building Code Sections 105.1.1 and 105.1.2 are deleted.

 $\underline{FG}$ . International Building Code Section 105.2, Work Exempt from Permit, is modified as follows:

1. 105.2 Item 2 is amended to read: "Fences not over 8 feet high."

2. 105.2 Item 10 is amended to have an additional sentence which reads: "Private membrane structures used as 'U' occupancies which are not in excess of 240 square feet and have no electrical service. Such structures must be anchored in an approved manner."

<u>GH</u>. International Building Code Section 107.5 is deleted.

<u>HI</u>. International Building Code is amended by deleting the words, "International Property Maintenance Code."

LJ. International Building Code Section 110.3.3 is amended to read: "In flood hazard area, prior to issuing the Certificate of Occupancy required in Section 111, the elevation certification required in Section 1612.5 shall be submitted to the Building Official."

19.01.021 International Building Code Section 1098.4.

International Building Code Section 1098.4 is amended to read:

 Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits may be subject to a fee established by the Building Official that shall be in addition to the required permit fees. The additional fee shall be equal to the amount of the permit fee required by this code, whether or not a permit is subsequently issued. A person who commences grading without a required permit shall be subject to, in addition to the regular grading permit fee, an additional permit fee of one hundred dollars for the first occurrence, two hundred fifty dollars for a second occurrence, and five hundred dollars for subsequent occurrences in any three-year period.

| 19.01.030 Internation. Section              | tional Residential Code <u>Table R302.6 amended - Dwelling/Gar</u><br>n  |
|---|--|
|   | ential Code <u>Table R302.6</u> , column two, is amended by deleting inch gypsum wall board" and replacing them with "5/8 inch type  |
| 19.01.035 Interna Systems deleted.          | tional Residential Code Section R313 Automatic Fire Sprink   |
| System to the second                        |  |
| International Reside                        | ential Code Section R313, Automatic Fire Sprinkler Systems is deleted  |
| 19.01.040 Table 50                          | 8.2 <u>.5</u> amended—Incidental use areas.  |
| Intomotional Daildi                         | no Codo Table 500 2.5 A  |
|   | ng Code Table 508.2.5 Amended—Incidental Use Areas. Cell one in read, "All furnace or boiler rooms." Cell two in the table is amende |
|   |  |
| 19.01.041 Interna<br><u>Rating Nonsepar</u> | tional Building Code Section <u>709.3 amended - Fire Resista</u> rated uses.   |
|   |  |
| International Buildi exception 2.           | ing Code Section 709.3 Fire Resistance Rating is amended by dele   |
|   |  |
| International Buildi                        | ng Code Section 508.3., Nonseparated occupancies, is   |
| 19.01.042 Internati                         | ional Residential Code Section R320 deleted - Accessibility.   |
| International Reside                        | ential Code Section R320, Accessibility, is deleted.   |
| 40.04.04.55                                 |  |
| 19.01.045 <u>Deleted.</u>                   |  |
| 10 01 050 Intownst                          | Canal Decidential Code Section D2142.2 and J. J. Communication   |
| 19.01.050 Internati                         | ional Residential Code Section R31 <u>4</u> 3.2 amended - Garage smoke   |
| International Reside                        | ential Code Section R3143.2 is amended to include:   |
| michanonai Reside                           | and Code Section <u>R5145.</u> 2 is amended to include.  |
| 4 Private garages a                         | nd shops attached to residential structures and having heated or temporary   |
|   | be equipped with smoke detectors hard wired with battery backup.   |
| huilding official ma                        | by require the garage detector(s) to be interconnected with the dwelli   |
| smoke detection sys                         |  |
| smoke detection sys                         | * * *  |
| 19.01.070 Internat                          | tional Building Code Section 903.2 is amended—Automatic  |
|   | is—Where required.   |
| abbrassma sasten                            | * * *  |
| 19.01.081 Internati                         | onal Residential Code amended—Stairways.   |
| マン・ハマ・ハハエ エロバムトけなけ                          | omai rosiuviimai ouus amenucu—stan ways.   |

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A new section R311.9 is added which reads: "For cupolas and similar small, one-room spaces not more than 50 square feet in size and not to be used as sleeping spaces, the Building Official may approve permanent ladders as a means of access and egress."

# 19.01.085 International Residential Code amended—Grinder pumps to be accessible.

International Residential Code Section <u>R306.3</u> is amended by adding the following sentence: "Grinder pumps shall be installed outside the foundation perimeter of the structure or at an alternate accessible location approved by the building official."

\* :

# 19.01.100 Chapter 17 amended—Earth support and danger trees.

It is the intent of the Assembly that matters of concern under this subsection be handled as expeditiously as possibley and that the Building Official handle them in-house whenever possible to avoid delay from frivolous complaints or concerns.

# 19.01.200 Chapter 35, Referenced Standards, modified.

Chapter 35, Referenced Standards, of the IBC is revised by changing or adding the referenced standards from the publication date listed to the following edition, and the standards are adopted by reference:

N.F.P.A. 10-20<u>10</u>07, Portable Fire Extinguishers;

N.F.P.A. 13-20<u>10</u>07, Installation of Sprinkler Systems;

N.F.P.A. 13D-20<u>10</u><del>07</del>, Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes;

N.F.P.A. 13R-20<u>10</u>07, Installation of Sprinkler Systems in Residential Occupancies Up to and Including Four Stories in Height;

N.F.P.A. 14-201007, Standpipe and Hose System;

N.F.P.A. 20-201007, Installation of Stationary Pumps for Fire Protection;

N.F.P.A. 72-201007, National Fire Alarm Code;

N.F.P.A. 750-201006, Standards on Water Mist Fire Protection Systems.

#### Chapter 19.02

| 1  | ELECTRICAL CODE  |  |  |
|----|--|--|--|
| 2  | Sections:  |  |  |
| 3  | 19.02.010 Adoption by reference.   |  |  |
| 4  | 19.02.020 Application for permit.  |  |  |
| 5  | 19.02.030 Section 230-70(A) amended—Service disconnecting means—Location.  |  |  |
| 6  | 19.02.031 International Residential Code Chapter 365 amended.  |  |  |
| 7  |  |  |  |
| 8  | 19.02.010 Adoption by reference.   |  |  |
| 10 | The 2011 Edition of the National Electrical Code, copyrighted by the National Fire   |  |  |
| 11 | Protection Association, is adopted and incorporated by reference.  |  |  |
| 12 | 1 to to the first state of the first the first state of the first stat |  |  |
| 13 | * * *  |  |  |
| 14 | 10.02.021 International Decidential Code Chanter 26 amonded  |  |  |
| 15 | 19.02.031 International Residential Code Chapter 36 amended.   |  |  |
|    | Section E260162 of Chanton 26 of the International Besidential Code is not lifted by musicing  |  |  |
| 16 | Section E3601.6.2 of Chapter 36 of the International Residential Code is modified by revising  |  |  |
| 17 | the first sentence to read as follows:   |  |  |
| 18 | The service disconnecting means shall be installed outside of a building or other structure a  |  |  |
| 19 | a location approved by the Building Official.  |  |  |
| 20 |  |  |  |
| 21 | * * *  |  |  |
| 22 | Chapter 19.04  |  |  |
| 23 | MECHANICAL CODE  |  |  |
| 24 | * * *  |  |  |
| 25 | 19.04.010 Adoption by reference.   |  |  |
| 26 |  |  |  |
| 27 | The 2009 Edition of the International Mechanical Code promulgated by the International   |  |  |
| 28 | Code Council, is adopted and included herein by reference, including the following   |  |  |
| 29 | appendices:  |  |  |
| 30 |  |  |  |
| 31 | Appendix A, Combustion Air Opening and Chimney Connector Pass-Throughs.  |  |  |
| 32 | The second secon |  |  |
| 33 | * * *  |  |  |
| 34 | Chapter 19.05  |  |  |
| 35 | FIRE CODE  |  |  |
| 36 | * * *  |  |  |
| 37 | 19.05.010 Adoption by reference.   |  |  |
| 38 | 17.03.010 Adoption by reference.   |  |  |
| 39 | The 2000 Edition of the International Fire Code or promulested by the International Code   |  |  |
|    | The 2009 Edition of the International Fire Code, as promulgated by the International Code  |  |  |
| 40 | Council, is adopted and included herein by reference.  |  |  |
| 41 | also also also   |  |  |
| 42 | * * *  |  |  |
| 43 | Chapter 19.09  |  |  |
| 44 | ELECTRICAL CODE FOR ISLANDS  |  |  |
| 45 | * * *  |  |  |
| 46 | 19.09.010 Adoption by reference.   |  |  |

The 201108 Edition of the National Electrical Code, copyrighted by the National Fire Protection Association, is adopted and incorporated by reference.

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modified.

# Chapter 19.11 MECHANICAL CODE FOR ISLANDS

\* \* :

## 19.11.010 Adoption by reference.

Certain portions of the 20093 International Mechanical Code are adopted and included herein by reference. Adopted portions are: Chapters 1 (Administration), 2 (Definitions), 3 (General Regulations), 4 (Ventilation), 7 (Combustion Air), 8 (Chimneys and Vents), Chapter 9 (Specific Appliances, Fireplaces, and Solid Fuel Burning Equipment), Chapter 10 (Boilers, Water Heaters, and Pressure Vessels), and Chapter 13 (Fuel Oil Piping and Storage).

Chapter 19.12 FIRE CODE FOR ISLANDS

# 19.12.010 Adoption by reference.

Certain portions of the 2009 International Fire Code are adopted and included herein by reference. Adopted portions are: Article 1 (Administration), Article 2 (Definitions and Abbreviations), Chapter 3 (General Precautions Against Fire), excluding Section 307 (Open and Recreational Fires).

# Chapter 19.14 BUILDING CODE FOR ISLANDS

19.14.010 Adoption by reference of certain portions of International Building Code as

Certain portions of the 2009 International Building Code published by the International Code Council, and as modified in other sections of this title, are adopted and included herein by reference. Adopted portions are: Chapters 1 (Administration), 2 (Definitions), 3 (Use and Occupancy Classification), 5 (General Building Heights and Areas), 6 (Types of Construction), 7 (Fire-Resistance-Rated Construction), 8 (Interior Finishes), 10 (Means of Egress), 14 (Exterior Walls), 15 (Roof Assemblies and Rooftop Structures), 16 (Structural Design), 18 (Soil and Foundations), 19 (Concrete), 22 (Steel), 23 (Wood), 24 (Glass and Glazing), 25 (Gypsum Board and Plaster), 33 (Safeguards During Construction), including Appendix B, Board of Appeals, and Appendix C, Group U Agricultural Buildings.

19.14.012 Adoption by reference of International Residential Code for One- and Two-Family Dwellings.

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| l | The 2009 International Residential Code for One- and Two-Family Dwellings by the                 |
|---|--|
| 2 | International Code Council, as modified in other sections of this title, is adopted and included |
| 3 | herein by reference.   |
| 1 | * * *  |
| 5 |  |
| 5 | 5. EFFECTIVE DATE. This ordinance shall become effective within 30 days after                    |
| 7 | passage by the Assembly of the City and Borough of Sitka.  |
|   |  |
|   | 6. PASSED, APPROVED, AND ADOPTED by the Assembly of the City and                                 |
|   | Borough of Sitka, Alaska this 26th day of December, 2012.  |
|   |  |
|   |  |
|   |  |
|   | Mim McConnell, Mayor   |
|   | ATTEST:  |
|   |  |
|   |  |
|   | Sara Peterson, CMC   |
|   | Municipal Clerk  |